



July 30, 2019

VIA E-MAIL

Mr. John Heilbron
[REDACTED]

RE: 19-FOIA-196 Conductor Complaints

Dear Mr. Heilbron:

We are in receipt of your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.* (“FOIA”).

I. Background

On July 18, 2019, we received your request for the records of complaints against all Metra conductors, or, in the alternative, a random sample of 5-6 Metra conductors (“Request”). Your Request is granted in part and denied in part.

On July 24, 2019, we reached out to you via email to inform you that fulfilling your request for *complaints made against all Metra conductors* would be unduly burdensome. Instead, we created a list of all 338 conductors and asked if you would prefer we generate random numbers via Google’s random number generator, or, in the alternative, if you would like to select 5-6 random numbers between 1 and 338. You selected numbers 146, 155, 178, 228, and 239.

II. Responsive Documents

In response to your Request, Metra’s Transportation department is providing you with complaints made against the conductors you randomly selected (“Responsive Documents”). The chart below will provide the date of and type of complaint. As well, it will show which issue number / complaint corresponds with each conductor.

No.	Conductor Name	Complaint Date	Issue No.	Complaint Type
146	Vasquez, Theodore	2/1/2017	9074	Employee Performance
		1/11/2017	8297	On-Time Performance
		1/15/2019	37581	Scheduling
155	Verran, Edward A.	8/18/2016	5520	On-Time Performance
178	Castellano, Abraham	None	None	None

228	Kocis, Brian	2/16/2017	9593	Employee Performance
		12/10/2018	36349	On-Time Performance
		2/22/2019	39991	Employee Performance
239	Arce, Chas	9/12/2017	16932	Passenger Behavior

III. Partial Denial

While FOIA requires public bodies to provide access to public records generally, FOIA also authorizes units of government to withhold certain information. Therefore, Attorney Keith Pardonnet has determined that the following portions of the Responsive Documents are exempt from disclosure under certain provisions of FOIA:

1. The employee identification number, medical records, personal telephone number, personal email address and home address of the parties mentioned in the Responsive Documents are redacted because they are exempt from disclosure under Section 7(1)(b) of FOIA, which exempts “private information.” “Employee identification numbers,” “medical records,” “personal telephone numbers,” “personal email addresses,” and “home addresses” are specifically mentioned within the definition of “private information” found in Section 2(c-5) of FOIA.
2. The names of the parties shared in the Responsive Documents are redacted because they are exempt from disclosure under Section 7(1)(c) of FOIA, which exempts “personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy....” Section 7(1)(c) goes on to say that, “‘Unwarranted invasion of personal privacy’ means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information.” It has been determined that the aforementioned data falls squarely within that definition and its redaction is appropriate under FOIA.

IV. Right of Review

You have the right to have the partial denial of your Request reviewed by the Public Access Counselor (“PAC”) of the Illinois Attorney General’s Office. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396

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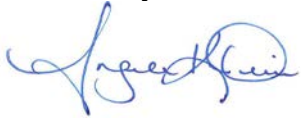
E-mail: publicaccess@atg.state.il.us.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this partial denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court. 5 ILCS 140/11.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela K. Ollie".

Angela K. Ollie
Freedom of Information Officer
FOIA@metrarr.com
FOIA Hotline #312-663-3642

Attachment